## **EXHIBIT B**

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### By Hand Delivery

December 28, 2020

Clerk of the Court, Ruby J. Krajick United States District Court Southern District of New York Office of the Clerk 500 Pearl Street New York, New York 10007

Re: Ber Barry Aron et al. v. Islamic Republic of Iran,

Case No.: 1:20-cv-9376; RE: Service

Dear Clerk of the Court, Ruby J. Krajick:

I represent the Plaintiffs in the above-referenced action.

I am writing to request you effect service on the Defendant, Islamic Republic of Iran, pursuant to 28 U.S.C. §1608(a)(4), at the following address:

Minister of Foreign Affairs Ministry of Foreign Affairs of the Islamic Republic of Iran Iman Khomeini Avenue Tehran, Iran ATTN: H.E. Mohammad Javad Zarif

Service on Iran cannot be effected under 28 U.S.C. Sections 1608(a)(1) and (2) because the United States and Iran do not have any special arrangement for service of process upon Iran in accordance with sub-section (1), nor is service permitted by any applicable international convention under the provisions of sub-section (2). See Valore v. Islamic Republic of Iran, 700 F. Supp. 2d 52, 70 (D.D.C. 2010).

On November 24, 2020, Plaintiffs, through the Clerk of the Court, attempted to serve the Defendant pursuant to the provision to 28 U.S.C. §1608(a)(3). Annexed hereto as **Exhibit 1**, is a copy of the certificate of mailing.

New York, NY ■ Los Angeles, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

<sup>&</sup>lt;sup>1</sup> Iran is not a signatory to the convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

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As of Monday, December 28, 2020, thirty (30) days have passed since the certificate of mailing has been issued and service had not been able to be completed under 28 U.S.C. § 1608(a)(3). Annexed hereto as **Exhibit 2**, is a true and correct copy of the USPS tracking information of the package sent by the Clerk of the Court indicating that serve has not been made.

Accordingly please serve the Defendant pursuant to 28 U.S.C. §1608(a)(4) at the following address:

Attn: Secretary of State, Director of Consular Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI)
U.S. Department of State
SA-29, 4th Floor
2201 C Street NW
Washington, DC 20520

Enclosed please find copies of the following documents:

- 1. Civil Cover Sheet.
- 2. Complaint deemed filed on November 9, 2020.
- 3. Summons.
- 4. Statement of Relatedness.
- 5. Notice of suit prepared in accordance with 22 CF § 93.2 with a copy of 28 U.S.C. 1330, 1391(f), 1441(d) and 1602-1611.
- 6. Affidavit of translator.
- 7. Translations of the above mentioned documents.<sup>2</sup>

In total, we are providing three complete sets of the documents, in both English and Farsi. In accordance with pages 12-13 of the Court's Foreign Mailing Instructions, we are providing two sets for service on the Defendant and one set of documents for the Court's file.

We have also enclosed pre-paid FedEx label and envelope for delivery to the address above. Please note that our firm FedEx account number is 628354049.

We further enclose a cashier's check in the amount of \$2,275.00 made payable to "U.S. Embassy Bern."

Should you have any questions or require any additional information please do not hesitate to contact me.

<sup>&</sup>lt;sup>2</sup> The affidavit of the translator comports with the requirements of NY CPLR 2101(b).

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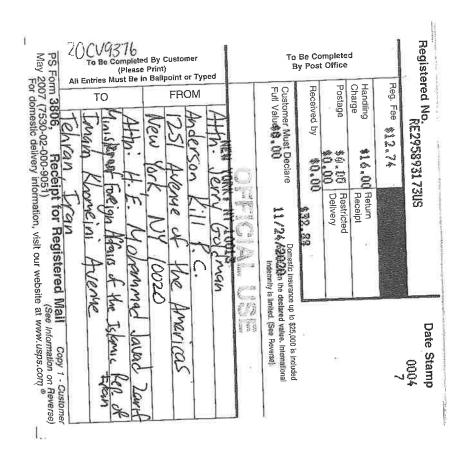
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Regards

Jerry S. Goldman

**Enclosures** 

## **EXHIBIT 1**



UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
Ber Barry Aron et al.  -v- Islamic Republic of Iran	CERTIFICATE OF MAILING  Case No.: 20cv9376 (GBD)(SN)
	rjury that on the <u>24<sup>th</sup></u> day of <u>November</u> , of Iran C/O Minister of Foreign Affairs, Ministry
of Foreign Affairs of the Islamic Republic or Iran ATTN: H.E. Mohammad Javad Zarif	n, Imam Khomeini Avenue, Tehran, Iran,
Foreign Sovereign Immunities Act, 28 U.S.C. § 1 copy of the following docu • Summons • Complaint deemed filed on Nover • Civil Cover Sheet • Statement of relatedness • Notice of suit prepared in accorda U.S.C. 88 1330, 1391(f), 1441(d)	mber 9, 2020 unce with 22 CFR 8 93.2 with a copy of 28
by USPS REGISTERED MAIL RE295893173U	
	BY J. Krajick Erk of Court
	aVonn Ross PUTY CLERK

# **EXHIBIT 2**

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Not Trackable:

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